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TAGS: [PGOV](#) [ECON](#) [EPET](#) [PTER](#) [KJUS](#) [IZ](#)
SUBJECT: NINEWA: DCM DISCUSSES FUEL SHORTAGE, JUSTICE, WITH
GOVERNOR AND OTHER OFFICIALS

REF: BAGHDAD 00288

Classified By: Ninewa PRT Team Leader James Knight:
1.4 (B) and (D).

This is a Ninewa Provincial Reconstruction Team (PRT) message.

SUMMARY

1. (C) Ninewa PRT hosted Embassy Baghdad Deputy Chief of Mission Daniel Speckhard to assess current conditions in Ninewa Province and Ninewa PRT operations. DCM Speckhard was accompanied by National Coordination Team Director Olson and Acting USAID Director Harvey. At DCM Speckhard's meeting with Ninewa's Governor, Governor Kashmoula emphasized progressively worsening effects of the province's fuel crisis, especially for economic recovery and security, as well as the burdens imposed by the GOI's failure to provide the essential legislative framework for effective federal provincial government. Mosul Major Crimes Court (MCC) judges underscored the importance of effectively pursuing insurgent trials in Ninewa Province. Both Governor Kashmoula and the MCC judges insisted on the key role of our PRT in our mutual pursuit of good governance, economic recovery, and the rule of law in Ninewa. END SUMMARY.

FUEL IS THE KEY PROBLEM . . .

2. (SBU) In his extended meeting and working lunch with Governor Kashmoula, DCM Speckhard asked for a tour d'horizon of Ninewa's successes and challenges. Kashmoula noted the province foremost problem is fuel. The adverse impact of the steadily worsening fuel crisis for all aspects of life in the province and the inability of Provincial authorities to resolve these problems undermine public confidence and feed political tension. Fuel and fuel-linked electricity shortages effectively block economic recovery and improved security.

3. (SBU) Beyond the fuel crisis, Kashmoula noted that political challenges in Ninewa are not sectarian. Kashmoula underscored that he and his administration consider that all Ninewa residents, including its Sunna, Kurds, and minorities, are equally Iraqi. In his pursuit of even-handed governance, Kashmoula promised to assure the Article 140 process for resolution of disputed territories will be administered fairly and transparently in Ninewa. Nonetheless, Kashmoula prefers provincial elections be held after the disputed territories resolution process is complete.

14. (C) In response to DCM Speckhard's query regarding the provincial-powers law currently before the Council of Representatives, Kashmoula noted that the law's current draft consolidates power in Baghdad. This promises to exacerbate problems of governance, since provincial governments better respond to the needs of their people. He insisted that the pending law should clarify the respective responsibilities of legislative and executive authority at the provincial level.

15. (C) Kashmoula noted that GOI ministries -- especially those responsible for security and basis services -- act unilaterally and do not consult provincial leadership on clearly provincial matters. In particular, he cited a recent Ministry of Interior (MoI) directive to Ninewa's Provincial Director of Police to hire 700 Shi'a police officers in Tal'AFar, without regard to conditions there. Similarly, Council of Representatives members elected from Ninewa only rarely consult with his office.

16. (SBU) In response to the DCM's query regarding investment for economic recovery, Kashmoula observed that Ninewa is ready for foreign investment in both industry and agriculture sectors; the primary barrier to investment is the lack of fuel and electricity. He noted that decentralization could help break the fuel impasse; DCM Speckhard observed that pending hydrocarbon law should ease Ninewa's fuel crisis by placing the province's fuel supply in private hands. Kashmoula added that unemployment and underemployment among young men feeds Ninewa's security

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problems; lack of employment is largely a function of the fuel crisis.

17. (SBU) Kashmoula emphasized the productive partnership that exists between his office, the Provincial Council, Iraqi security forces, our PRT, and Coalition maneuver commands as Ninewa Province addresses its formidable challenges. This partnership has been especially critical for eliciting timely flow of GOI Accelerated Reconstruction Funds (ARDF) and enabling better communication and commitments to action from GOI ministries.

. . . BUT THE RULE OF LAW HAS LEAPT FORWARD

18. (C) After his meeting with Governor Kashmoula, DCM Speckhard met the MCC trial judge panel (reftel) at its living quarters in Mosul. DCM Speckhard complimented the trial panel on its effectiveness and its key role in re-establishing the rule of law and improved security in Ninewa. He further noted that the Mosul MCC's success has been favorably reported to the highest levels of the USG. MCC Chief Judge Ali emphasized that the establishment of the Mosul MCC in the first instance depended on PRT facilitation and the full support of Ninewa provincial authorities and security forces.

19. (C) Ali observed that many of Mosul's Sunna majority has feared that the MCC court had been established quote only for executions unquote, but the court's measured and fair proceedings (including a number innocent verdicts and prison terms) had won the confidence of most Moslawis. He further added that his trial panel included both Sunni and Shi'a judges. DCM Speckhard queried the panel regarding the kinds of individuals brought to trial before the MCC in Mosul. Ali observed that most defendants are young men without employment or prospects.

COMMENT

¶10. (C) This welcome visit was especially useful for its elicitation of Governor Kashmoula's commitment to a transparent and fair Article 140 process, now promised to the highest levels of the U.S. Mission. While his promise has not yet been realized, we will reinforce this commitment as we seek a less aggressive and more democratic approach to the resolution of disputed territories by KRG proponents among Ninewa's current leadership.

¶11. (SBU) COMMENT CONTINUED: Governor Kashmoula has been appropriately dogged and strident in his insistence that resolution of Ninewa's fuel crisis is an absolute necessity for further progress toward the province's economic recovery and effective government. This view is shared by our PRT and all our Coalition and Iraqi interlocutors in Ninewa. We also share his view that a sound provincial-powers law is equally urgent in order to codify powers that the Governor now exercises ad hoc. END COMMENT.

¶12. (SBU) This message has been cleared by DCM Chief of Staff Wilson in DCM Speckhard's absence.
KHALILZAD